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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA,  
SAN FRANCISCO DIVISION

SONOS, INC.,  
Plaintiff and Counter-defendant,  
v.  
GOOGLE LLC,  
Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA

Consolidated with  
Case No. 3:21-cv-07559-WHA

**STATEMENT OF THE CASE FOR  
VOIR DIRE**

Judge: Hon. William Alsup  
Pretrial Conf.: May 3, 2023  
Time: 11:30 a.m.  
Courtroom: 12, 19<sup>th</sup> Floor  
Trial Date: May 8, 2023

1 Pursuant to Paragraph 8 of the Court's Guidelines for Trial and Final Pretrial Conference  
2 in Civil Jury Cases (last revised March 3, 2022), the parties met and conferred on a neutral  
3 statement of the case to be read to the jury during voir dire, but were unable to come to  
4 agreement. Sonos, Inc. and Google LLC therefore provide the following proposed neutral  
5 statements of the case to be read to the jury during voir dire.

**STATEMENT OF THE CASE OFFERED BY SONOS**

This is a patent infringement case. The plaintiff, the entity that has brought this case, is Sonos, Inc. The defendant is Google LLC.

Sonos makes and sells smart speakers. Smart speakers are speakers that can be wirelessly networked together. Google makes and sells smart speakers and other devices that can play and control music or video and be wirelessly networked together.<sup>1</sup>

Sonos asserts two patents in this case—U.S. Patent No. 10,848,885 and U.S. Patent No. 10,469,966. We refer to patents by the last three digits of the patent number, so we call these the '885 patent and the '966 patent. The '885 patent and the '966 patent relate to how a user can create groups of speakers and play back music on one of those groups.

I have already determined that prior versions of Google's products infringed the '885 patent, and Sonos is now seeking damages for that infringement. Sonos is also seeking a finding that newer versions of Google's products still infringe the '885 patent, and damages for that infringement. Sonos also alleges that Google infringes the '966 patent. Sonos is seeking damages for that alleged infringement, and a finding that Google's infringement of the '966 patent was willful.

Google denies that it infringed the '966 patent and denies that the alleged infringement was or is willful. Google also denies that the newer versions of its products still infringe the '885 patent. Google also contends that both the '885 and the '966 patents are invalid. Accordingly, Google denies that Sonos is entitled to any damages.

To be clear, the claims and defenses just described merely summarize the parties' arguments—the parties themselves will explain their positions at trial and the evidence presented will provide the facts.

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<sup>1</sup> The only dispute that is unique to the neutral statement of the case for voir dire is whether to include this paragraph introducing the parties. The remaining disputes overlap with the parties' disputes regarding the preliminary jury instructions.

**STATEMENT OF THE CASE OFFERED BY GOOGLE**

This is a patent infringement case. The plaintiff, the entity that has brought this case, is Sonos, Inc. The defendant is Google LLC.

Sonos asserts two patents in this case—U.S. Patent No. 10,848,885 and U.S. Patent No. 10,469,966. We refer to patents by the last three digits of the patent number, so we call these the '885 patent and the '966 patent. The '885 patent and '966 patent relate to how a user can create groups of speakers and play back music on one of those groups.

Sonos alleges that Google infringes the '966 patent. Sonos is seeking damages for that alleged infringement, and a finding that Google's infringement of the '966 patent was willful. It has already been determined that prior versions of Google's products meet the limitations of the '885 patent, and Sonos is now seeking damages. Sonos is also seeking a finding that Google's redesigned products infringe the '885 patent, and damages if infringement is found. It has also already been determined that Google did not willfully infringe the '885 patent.

Google denies that it infringed the '966 patent and denies that the alleged infringement was or is willful. Google also denies its redesigned products infringe the '885 patent. Google also contends that both the '885 and the '966 patents are invalid. Accordingly, Google denies that Sonos is entitled to any damages.

To be clear, the claims and defenses just described merely summarize the parties' arguments—the parties themselves will explain their positions at trial and the evidence presented will provide the facts.

1 Dated: May 2, 2023

ORRICK HERRINGTON & SUTCLIFFE LLP  
and  
LEE SULLIVAN SHEA & SMITH LLP

3 By: /s/ Clement Seth Roberts  
4 Clement Seth Roberts

5 *Attorneys for Sonos, Inc.*

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**ECF ATTESTATION**

I, Clement S. Roberts, am the ECF User whose ID and password are being used to file this Statement of the Case for Voir Dire. In compliance with Civil Local Rule 5-1, I hereby attest that Sean Pak, counsel for Google, has concurred in this filing.

Dated: May 2, 2023

By: /s/ Clement S. Roberts  
Clement S. Roberts